

EXHIBIT A

Tatyana Petrovna Lysaya
October 11, 2024

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

TATYANA LYSYY, married, VASILIIY)	
LYSYY, married, who are each)	
members of a marital community,)	
)	
Plaintiffs,)	
)	
vs.)	No. 2:24-cv-00062-MJP
)	
DEUTSCHE BANK NATIONAL TRUST)	
COMPANY AND DEUTSCHE BANK NATIONAL)	
TRUST COMPANY trustee, a foreign)	
corporation, IMPAC SECURED ASSETS)	
CORP 2005-62, MORTGAGE PASSTHROUGH)	
CERTIFICATES SERIES 2007-1, a)	
foreign corporation; QUALITY LOAN)	
SERVICE OF WASHINGTON; PMC)	
BANCORP, a foreign corporation and)	
national association; BANK OF)	
AMERICA, NA, Successor by Merger)	
to BAC Home Loans Servicing, LP)	
fka Countrywide Home Loans)	
Servicing LP ("Bank of)	
America"), a national association)	
and foreign corporation; MERSCORP)	
Holdings, Inc., a foreign)	
corporation; MORTGAGE ELECTRONIC)	
REGISTRATION SYSTEMS, INC., a)	
foreign corporation; SELECT)	
PORTFOLIO SERVICING, INC., a)	
foreign corporation; SAFEGUARD)	
PROPERTIES, LLC, a foreign)	
corporation; RESIDENTIAL REAL)	
ESTATE REVIEW, INC, a foreign)	
corporation; MORGAN STANLEY)	
PRIVATE BANK, NA, a foreign)	
corporation, E*TRADE, a foreign)	
corporation; Does 1-20,)	
)	
Defendants.)	

DEPOSITION OF TATYANA PETROVNA LYSAYA

October 11, 2024

Seattle, Washington

Reporter: John M.S. Botelho, CCR, RPR

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APPEARANCES

The Plaintiffs, Appearing Pro Se:

VASILIIY LYSYY
TATYANA PETROVNA LYSAYA
Pro se

For Defendants Deutsche Bank National Trust
Company, trustee; Select Portfolio Servicing,
Inc.; and Safeguard Properties, LLC:

MIDORI R. SAGARA
Buchalter
1420 Fifth Avenue
Suite 3100
Seattle, Washington 98101-1337
206.319.7052
msagara@buchalter.com

Also Present: Aleksandr V. Lukoff
Ukrainian interpreter
(via videoconference)

Larisa Horback
Ukrainian interpreter
(via videoconference)

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1 BE IT REMEMBERED that on Friday,
2 October 11, 2024, at 1420 Fifth Avenue, Suite 3100,
3 Seattle, Washington, at 1:42 p.m., before JOHN M.S.
4 BOTELHO, Certified Court Reporter, appeared TATYANA
5 PETROVNA LYSAYA, the witness herein;

6 WHEREUPON, the following
7 proceedings were had, to wit:

8

9 <<<<<< >>>>>>

10

11 ALEKSANDR V. LUKOFF

12 and

13 LARISA HORBACK,

having been previously sworn
by the Certified Court
Reporter to interpret
English to Ukrainian and
Ukrainian to English,
interpreted as follows:

19

20 (All answers are given
21 through the interpreter
22 unless otherwise indicated.)
23 (Interpreter Lukoff begins
24 interpreting.)

25 ////

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1 TATYANA PETROVNA LYSAYA, having been first duly sworn
2 by the Certified Court
3 Reporter, deposed and
4 testified as follows:

5

6

EXAMINATION

7 BY MS. SAGARA:

8 Q Ms. Lysaya, I introduced myself to your husband while
9 you were here this morning. I'm Midori Sagara, and I
10 represent the remaining defendants in this lawsuit.

11 Have you ever had your deposition taken before?

12 A No. Never.

13 Q Okay. So I am going to go through the guidelines
14 again, just because it's new to you.

15 Because we're using interpreters today, we'll ask
16 that after, you know, every sentence or so, you take
17 a pause to allow the interpreter to more easily
18 interpret.

19 And so this question and answer will go slower
20 than typical conversation because we want to make a
21 clear record, so I'll probably speak slower, and I'll
22 ask that you do the same for the interpreters.

23 If you do not understand my question, just tell
24 me, and I'll rephrase it. If you answer the
25 question, it will be assumed that you understood it.

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1 A Yes, that is correct.

2 Q Where were you born?

3 A In Ukraine.

4 Q Okay. And when did you come to the States?

5 A We came in February of 2002.

6 Q Okay. Did you come with Mr. Lysyy?

7 A Yes.

8 Q Okay. And when is the last time that you have been
9 back to Ukraine since 2002?

10 A I -- I have not gone to Ukraine over this time.

11 Q Okay. You've never gone back since you left?

12 A No.

13 Q Okay. And I just want to confirm. I know some of
14 these questions will be repetitive, but we do need your
15 confirmation.

16 Okay. Where do you currently live?

17 A I live in the city of Fife.

18 Q Okay. And is that at the 4109 68th Avenue East street
19 address?

20 A Yes, the same address.

21 Q Okay. And how long have you lived at 4109 68th Avenue,
22 in Fife?

23 A About from 2012, 2013.

24 Q Where have you lived from 2017 to now?

25 A At that same address. At the 4109 68th Avenue.

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1 A I believe I have started to do something with Peter
2 related to that house. Maybe it was regarding
3 refinancing, but I don't remember when exactly.

4 Q Okay. Do you know approximately when did you last make
5 a payment on the mortgage for the Auburn property?

6 A I don't remember.

7 Q Okay. Was it before the pandemic?

8 A I think so.

9 Q Okay. Was it over ten years ago?

10 A Maybe. I think so.

11 Q Okay. So do you recall, when did you purchase the
12 Auburn property?

13 A I remember, I think it was fall of 2004.

14 Q Okay. And then when did you move in?

15 A I don't remember. I remember there was no snow yet, so
16 probably it was fall. I don't remember exactly.

17 Q Okay. Did you have someone help you buy the Auburn
18 property?

19 A Yes. Peter helped us. Peter Kuzmenko.

20 Q Okay. And Peter is the same guy that your husband
21 talked about and the Realtor and the loan officer; is
22 that accurate?

23 A Yes, it is same person, the same Peter.

24 Q Okay. Prior to buying the Auburn property, did you
25 inspect it or walk through it?

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1 A All my family, including children and my mother.

2 Q Okay. And since -- scratch that.

3 When did you move from the Auburn property?

4 A I believe we moved out in 2012, 2013.

5 Q Okay. And was that to the property you live in now in
6 Fife?

7 A Yes.

8 Q Okay. From 2012 to 2013, when you moved, did anyone
9 else live at the Auburn property?

10 A No, nobody lived there.

11 Q Did you ever do anything to try and rent out the Auburn
12 property?

13 A No, we did not do anything, anything to place this
14 property as a rental property.

15 Q Okay. And did you do anything to try to sell the
16 Auburn property?

17 A Personally, I didn't do anything.

18 Q Okay. To your knowledge, was the Auburn property ever
19 listed for sale?

20 A No. After us, no.

21 Q Okay. And during your husband's deposition, he
22 testified to receiving some texts or someone coming to
23 your Fife home after the pandemic about purchasing the
24 Auburn property.

25 Do you know anything about those?

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1 anything with that property, and I -- I can't sell that
2 property.

3 Q Okay. So to your knowledge, since you moved from the
4 Auburn property in 2012 or 2013, has that property been
5 vacant until now?

6 A How do you mean? Do you mean if old house was vacant?

7 Q Yes.

8 So since you move from the Auburn house in 2013,
9 has that Auburn house been vacant since then?

10 A Yes. Nobody of my family lived there, and I didn't see
11 anyone living there.

12 (Interpreter Lukoff begins
13 interpreting.)
14

15 Q (By Ms. Sagara) Okay. Did you ever let anyone stay
16 there after you left, for free?

17 A There was no such thing ever, nor did we allow anyone.

18 Q Okay. Were you aware of any homeless person inside the
19 property at any time?

20 A As much as I did not know, I did not see anything as
21 much as I know. Personally, I did not observe anyone.

22 But per Peter's words, there must have been a person
23 who comes in and causes some sort of disorder there.

24 Q Okay. Did Peter tell you that?

25 A Yes, Peter said so.

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1 Q Okay. What did he tell you?

2 A He said it like this. There must be someone who is
3 coming there, because there is some sort of a mess in
4 there going on.

5 INTERPRETER LUKOFF: And interpreter
6 would like to ask for the repetition of the last part.

7 MS. SAGARA: Okay.

8 (Interpreter clarifies with
9 witness in Ukrainian.)

10

11 INTERPRETER LUKOFF: Interpreter
12 said, "He said -- he had said that there was some sort
13 of a mess going on there. And what was the last two
14 words you said?"

15 "And that it seems like somebody is causing
16 deliberate damage there."

17 Q (By Ms. Sagara) When did Peter tell you this?

18 A Wasn't these times. It was sometime earlier. I don't
19 remember.

20 Q Okay. Was it before the pandemic?

21 A I think so.

22 Q Okay. Did you ever call the police, fill out a police
23 report?

24 A No.

25 Q Why not?

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1 Q Okay. Do you recall leaving anything at the Auburn
2 property when you moved in 2012 or 2013?

3 A Well, I do not remember. It was a long time ago. If
4 we were to leave something, we must have left in the
5 garage. We must have left some piece of clothes or
6 something that is not needed anyway.

7 Q But nothing like a piece of furniture or a table?
8 Nothing like that?

9 A The table and the furniture all were picked up to the
10 new address.

11 Q Okay. Did you ever speak to the City of Auburn about
12 the property?

13 A No, we had not spoken.

14 Q Okay. Do you recall getting any notices from the City
15 about the Auburn property?

16 A Personally, personally I don't remember of that.
17 Perhaps my husband.

18 Q Okay. Do you recall the City of Seattle ever fining
19 you for anything at the Auburn property?

20 INTERPRETER LUKOFF: Interpreter
21 requests clarification, Counsel. Fining you for...?

22 MS. SAGARA: Fining you. Giving you
23 a fine.

24 INTERPRETER LUKOFF: Mm-hmm.

25 MS. SAGARA: I'm going to repeat it.

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1 Q (By Ms. Sagara) Do you recall the City of Auburn ever
2 giving you a fine related to the Auburn property?

3 A I don't remember of such.

4 Q Okay. You said that at some point there was a lock.
5 The property was locked, and there was a sign posted,
6 correct?

7 A Yes, I remember how Peter showed us some paperwork.
8 Inside the paperwork, included were small pictures of
9 the lock and the sign.

10 Q Do you remember about when you saw those images from
11 Peter?

12 A The photographs, themselves, we saw not long ago.
13 Couple of days ago. But before that, he did speak of
14 the presence of all of these at the house.

15 Q Okay. So when do you recall Peter first telling you
16 about a lock on the door and a sign?

17 A It was -- I don't know -- maybe several years ago when
18 the banks were changed. When I saw that the locks were
19 placed there, that Peter told us. And later on, he
20 showed us the photographs.

21 Q Okay. Do you know approximately what year the locks
22 went on the Auburn property?

23 A I would think a year '19 or something like that. 2019.
24 I do not know for sure. But could be that, at that
25 time.

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1 Okay. Do you have any evidence that after October
2 of 2019, that SPS or any of its agents were doing any
3 work inside the property?

4 A I do not remember who entered and who performed any
5 work. I do not remember. I personally did not. Peter
6 must have come in. Then we have to ask Peter. We have
7 to ask Peter. And I did not have the code to that
8 lock.

9 Q I'm asking you whether you have any evidence that SPS
10 or any of its agents were inside the property after
11 October of 2019.

12 A I don't have such an evidence.

13 Q Okay.

14 A But I only know the thought of Peter, who had said, I
15 think that someone must have been entering the
16 property.

17 Q What do you think, what damages do you believe that you
18 have sustained because the padlock was briefly put on
19 the property?

20 A I cannot answer it, because I can't comprehend the
21 question right.

22 The damages -- damages are in the fact that I'm
23 not able to only enter -- not able to enter, not able
24 to see what exactly was damaged there. I'm only seeing
25 what is showing in the pictures.

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1 Q So it's your contention that no one was able to enter
2 the property after the padlock was put on?

3 A I do not know. But I did not enter.

4 Q Okay. That doesn't mean that nobody on your behalf
5 entered, correct?

6 A I do not know of this. I know nothing of this.

7 Q And so I'm asking you two. You and your husband have
8 filed a lawsuit against the trust, SPS, and its agents,
9 and you've alleged that because they put a padlock on
10 the property, you have sustained damages or injury.

11 And I'm asking you: What are those damages?

12 A Well, excuse me, but I did not allege any kind of
13 injury at all or any injury. As for the damages, I did
14 not file the suit. Peter filed the suit.

15 Q Do you want me to go get the complaint right now and
16 show you your signatures on the complaint?

17 A I understand there is a signature, but I don't remember
18 having given such a permission.

19 Q Okay. I'm asking you right now, though: What is your
20 evidence of any damages that you've sustained because
21 of anything that the bank has done?

22 A My only evidence is what Peter says. That he must --
23 that he said that someone must have entered there from
24 the bank, and then the photograph that I saw.

25 Q I'm asking you, again: Your allegation is that the

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1 (Interpreter Lukoff continues
2 interpreting.)

3

4 Q (By Ms. Sagara) I've asked you probably at least three
5 or four times now to identify any claims or damages
6 that you have against the bank in this lawsuit, and to
7 this point, you've not identified anything.

8 So I'm going to give you one more opportunity.

9 A I did not see any disorder there, nor do I have
10 therefore any kind of proof, evidence, because I did
11 not see.

12 Q Okay. Since 2019, have you sought any treatment for
13 anxiety?

14 A There were a lot of worries and anxiety personally I
15 went through due to this -- for this house, but I did
16 not refer myself anywhere.

17 Q Okay. Did you seek any treatment for depression since
18 2019?

19 A No, I had not had depression, nor did I seek any
20 treatment.

21 Q Okay. Do you recall that earlier your husband had said
22 that it was your plan that your son and his wife would
23 move into the Auburn property?

24 A If there was possibility to do that, if there were
25 permission, and they would be in a position to move in,

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1 MS. SAGARA: Okay. So we can go off
2 the record.

3 (Signature waived.)

4 (Deposition concluded at
5 4:28 p.m.)

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1 STATE OF WASHINGTON) I, John M.S. Botelho, CCR, RPR,
) ss a certified court reporter
2 County of Pierce) in the State of Washington, do
 hereby certify:

That the foregoing deposition of TATYANA PETROVNA
5 LYSAYA was taken before me and completed on
October 11, 2024, and thereafter was transcribed under my
6 direction; that the deposition is a full, true and complete
transcript of the testimony of said witness, including all
7 questions, answers, objections, motions and exceptions;

8 That the witness, before examination, was by me duly
sworn to testify the truth, the whole truth, and nothing but
9 the truth, and that the witness waived the right of
signature;

That I am not a relative, employee, attorney or counsel
11 of any party to this action or relative or employee of any
such attorney or counsel and that I am not financially
12 interested in the said action or the outcome thereof;

13 IN WITNESS WHEREOF, I have hereunto set my hand
this 21st day of October, 2024.

John M.S Botelho

John M.S. Botelho, CCR, RPR
Certified Court Reporter No. 2976
(Certification expires 5/26/2025.)